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13 Class Counsel

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

20 DERRICK SATCHELL, KALINI  
21 BOYKIN, VALERIE BROWN, RICK  
22 GONZALES, CYNTHIA GUERRERO,  
23 RACHEL HUTCHINS, TYRONE  
MERRITT, KELVIN SMITH, SR., and  
KEN STEVENSON, on behalf of  
themselves and all others similarly situated.

Case No. C 03-2659 SJ; C 03-2878 SJ

## CLASS ACTION

**STIPULATION AND [PROPOSED]  
ORDER SETTING BRIEFING SCHEDULE  
(Civil Local Rule 6-1)**

24 Plaintiffs.

25 || v.

26 FEDEX EXPRESS, a Delaware corporation,

### Defendant

WHEREAS, Plaintiffs intend to file a Motion to Bifurcate on Friday, June 9, 2006; WHEREAS, Defendant has requested that the hearing not take place until July 21, 2006;

WHEREAS, the parties have agreed to the following briefing schedule for the motion, which modifies the briefing schedule set forth in the Civil Local Rules;

WHEREAS, all briefs will nonetheless be filed two weeks before the scheduled hearing, as required by the Civil Local Rules;

THEREFORE, that parties hereby stipulate and agree as follows, and request that the Court so order:

1. Plaintiffs shall file and serve their Motion To Bifurcate on or before June 9, 2006.

2. Defendant shall file its brief in opposition to Plaintiffs' Motion To Bifurcate on or before June 23, 2006.

3. Plaintiffs shall file their reply brief in support of their Motion To Bifurcate on or before June 30, 2006.

4. The hearing on Plaintiffs' Motion To Bifurcate shall be on July 21, 2006 at 9:00 a.m.

## SO STIPULATED.

Dated: June 7, 2006

LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP

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### *Class Counsel*

1 Dated: June 7, 2006

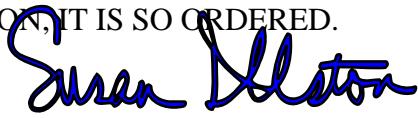
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9  
10 *Counsel for Defendant*

11 PURSUANT TO STIPULATION, IT IS SO ORDERED.

12 

13  
14 Hon. Susan Illston

15 Dated: \_\_\_\_\_